

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

MedChoice Financial, LLC, :
Plaintiff : Civil Action 2:11-cv-0212
v. : Judge Frost
ADS Alliance Data Systems, Inc. : Magistrate Judge Abel
and World Financial Network Bank, :
Defendants and :
Counterclaim Plaintiffs :
MedChoice Financial, LLC, :
Phillip W. Hall, and :
Michelo A. Naturile, :
Counterclaim Defendants :

Order Cancelling Settlement Week Mediation

On September 5, 2012, counsel for the parties participated in a telephone conference with the Magistrate Judge and requested that the Settlement Week mediation noticed for September 10, 2012 at 3:00 p.m. be cancelled. No depositions have been taken. Hundreds of thousands of pages of documents have been produced. Counsel are still discussing search terms for the production of electronically stored information. Further, ADS Alliance Data Systems, Inc.'s and World Financial Network Bank's June 27, 2012 motion to compel production of documents is awaiting decision. The parties are not yet in a position to evaluate this case for settlement. Counsel believe that the parties will be in a position to mediate in March 2013. The September 2012 Settlement Week mediation is CANCELLED.

On or before **September 17, 2012**, counsel are DIRECTED to either submit a proposed schedule for production of ESI and depositions or call me (614-719-3370) to set up a telephone conference to discuss establishing a schedule.

The Clerk of Court is DIRECTED to serve a copy of this Order on counsel and the Settlement Week Mediator Jeffrey Hutson, Two Miranova Place, Ste. 500, Columbus, OH 43215.

s/Mark R. Abel
United States Magistrate Judge